IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1241 OF 2004
IN
CUSTOMS APPLICATION (L) NO.12 OF 2004

The Commissioner of Customs
(Exports) .. Applicant.

V/s.

M/s.Altogether Exporters &
Importers .. Respondents.

Ms.Neeta V. Masurkar for the applicant.

Mr.P.V. Patankar for the respondents.

CORAM : DR.S. RADHAKRISHNAN &
J.P. DEVADHAR, JJ.

DATED : 25TH JANUARY, 2006.

P.C. :

1. Heard the learned counsel for the applicant and the learned counsel for the respondents.

2. By this notice of motion, the applicant is seeking condonation of 14 days delay in filing the above application. Perused the affidavit in support of the notice of motion. The reasons stated therein are sufficient for condonation of delay. There is no inaction, negligence of want of bona fides. Hence, the notice of motion is made absolute in terms of prayer clause (a). The order dated 13th July, 2004 passed by the learned Prothonotary & Senior Master, High Court, Bombay is set aside.

3. Place the above appeal along with Appellate Side Writ Petition No.9496 of 2004 on 1st February, 2006 for admission.

(DR.S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)